

In re AKEMAKOU  
09/700,877

REMARKS

The Examiner is thanked for the Official Action dated November 09, 2001. The above amendment and remarks to follow are intended to be fully responsive thereto.

At the outset, it is noted that those material references mentioned in the specification have been submitted by way of a proper information disclosure statement. See International Search Report.

The drawings were objected for failing to identify figures 1-3 as prior art. Attached hereto please find a letter to the draftsman with corrected drawing figures amended to include the legend "Prior Art". No new matter has been added.

The specification was objected to for minor informalities. Applicant has attached hereto a "marked-up" specification showing all changes with brackets and underlines and a "revised" specification with changes incorporated therein. No new matter has been entered because all changes are grammatical and formal in nature.

The Title has been amended in a manner suggested by the Examiner.

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Claim 4 was rejected under 35 USC 112, first paragraph, because the specification fails to enable the "encircling" limitation of claim 4. Applicant has amended claim 4 to overcome this rejection. No new matter has been entered because amended claim 4 recites the invention in accordance with the written description and drawings (see Fig. 4c).

Claims 1-5 were rejected under 35 U.S.C. 112, second paragraph, for indefinite language. Claims 1-8 have been amended in accordance with the Examiner's comments and the claims are now believed to be in conformance with 35 U.S.C. 112. No new matter has been entered.

Claims 1 and 2 were rejected under 35 U.S.C. 103(a) as being unpatentable over Leitgeb (USP 5,015,902) in view of Tanaka (USP 4,727,273). Applicant respectfully disagrees.

In Leitgeb '902, the magnets 4 are not rare earth magnets. In addition, the magnets 4 of Leitgeb '902 are not disposed radially; therefore, the flux generated by the device of Leitgeb '902 is not an orthoradial magnetic flux. Significantly, the elements 9 of Leitgeb '902 are not magnets but instead are magnetic material (see col. 3, line 54). Soft magnetic material formed as curved steel sheets have no North-South poles as magnets. Thus, there is only one group of magnets (4) in Leitgeb '902.

In Tanaka '273, all magnets are arranged peripherally.


Therefore, it is clear that the prior art combination suggested by the Examiner fails to render obvious the claimed invention because the combination fails to set for the each claim

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element and structure.

It is respectfully submitted that claims 1-8 define the invention over the prior art and that the claims be considered allowable and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution, he is invited to contact the undersigned at the number listed below.

Respectfully submitted:

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